

## **REMARKS/ARGUMENTS**

In the Office action dated October 4, 2005, the Examiner rejected claims 1-16 under 35 U.S.C. § 112, 2d paragraph. By this Amendment, it is believed that those rejections are overcome.

In the Specification, No changes

In the Claims, claims 1, 2, 5, 12, 13 and 15 are amended to overcome 35 U.S.C. § 112, 2d paragraph rejections. The Examiner noted that the word “about” in claims 1 and 12 should be “above,” however, as the structure is patterned and etched, which results in removal of a portion of the silicon and SiGe layers, leaving an uneven structure, when the layer of strained silicon is deposited, it not only is applied to the top of the SiGe layer, but to sidewall portions thereof, rendering the use of the word “about” more descriptive than the word “above.” For this reasons, this change suggested by the Examiner has not been made. Claims 2 and 13 have been corrected as to the sequence of the claimed step in the method of the invention, and a phrase located at the end of the claim removed to avoid redundancy.

In light of the foregoing amendment and remarks, the Examiner is respectfully requested to reconsider the rejections and objections stated in the Office action, and pass the application to allowance. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact the undersigned.

### **Provisional Request for Extension of time in Which to Respond**

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any